

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

COLBERT F. NICHOLS,

Plaintiff,

v.

ROBERT BANNISTER, et al.,

Defendants.

2:09-cv-1698-LDG-GWF

ORDER

Defendants' motion for summary judgment (#22) has become ripe for decision. The court, however, notes that, based on Nichols' request to "fully utilize newly acquired discovery," (#42) the magistrate judge recently granted defendant Nichols' unopposed motion to extend time regarding the dispositive motion deadline (#47). As the arguments raised by Nichols in any forthcoming dispositive motion may also relate to his opposition to summary judgment (which he filed as a motion to dismiss the motion for summary judgment (#32)), the court considers it judicious to defer ruling on the motion for summary judgment until Nichols has had an opportunity to supplement his opposition. Accordingly,

THE COURT HEREBY ORDERS that plaintiff Nichols shall have an additional 30 days from the extended dispositive motion deadline in which to file a supplemental brief in opposition to defendants' motion for summary judgment.

1 THE COURT FURTHER ORDERS that defendants' motion for summary judgment (#22)
2 is DENIED without prejudice. After the deadline for plaintiff Nichols' supplemental brief in
3 opposition to summary judgment has expired, defendants may file a document with the court
4 reinstating the motion for summary judgment in addition to addressing any arguments newly
5 raised by plaintiff Nichols.

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7 Dated this 23 day of March, 2012.

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11 Lloyd D. George
12 United States District Judge
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